

MALHEUR COUNTY COURT MINUTES
September 4, 2024

The regularly scheduled meeting of the County Court was called to order by Judge Dan Joyce at 9:00 a.m. in the County Court Office with Commissioner Ron Jacobs and Commissioner Jim Mendiola present. Members of the media, public and staff had the opportunity to join the meeting electronically or in-person. Staff present in the meeting room were Administrative Officer Lorinda DuBois, and Economic and Community Development Director Taylor Rembowski. Notice of the meeting was posted on the County website, Courthouse bulletin board, and emailed to the Argus Observer, Malheur Enterprise and those persons who have requested notice. The meeting was audio recorded. The agenda is recorded as instrument # 2024-2478

TREASURE VALLEY PARAMEDICS (TVP)

The Court also met as the governing body of the Ambulance Service District (ASD) for the discussion with Treasure Valley Paramedics. TVP, Inc. President Steve Patterson, Vice-President Heather Land, and Attorney Shawn Logan met with the Court. Also present were Sheriff Travis Johnson and County Counsel Stephanie Williams. Mr. Logan explained that TVP is facing significant financial struggles and addressed some of those financial hurdles on behalf of TVP. Financial hurdles discussed were:

- Staffing and equipment - there is a shortage of EMS (Emergency Medical Services) professionals nationwide. Wages must be competitive to retain staff. Mr. Patterson and Ms. Land have taken pay cuts in order to make sure TVP is properly staffed and is committed to providing quality services.
- Medicare and Medicaid reimbursement had a breach of their data and as a result, payments were slowed and stopped. Some Medicare payments have started to come in but Medicaid has not. This has caused a cash flow shortage for TVP as they rely on Medicare and Medicaid to pay on time.
- The Ground Emergency Medical Transport (GEMT) tax is a tax on private ambulance services and is a mechanism designed to bridge the gap between actual costs of providing emergency medical transport and reimbursement received from Medicaid. The long-term impact is unknown. TVP is going to receive more monies in the future for their services from Medicare and Medicaid, but in the interim, TVP is going to have to pay almost \$100,000 into the GEMT tax.
- A decrease in call volume (may be in part due to the economy and nursing homes reducing their calls for treatment on scene due to State directives). And,
- Dispatch fees. Dispatch fees have increased about 165% between 2017 and 2023 and at this point in time TVP cannot pay what they owe for 2023 (approximately \$90,000 still owing/ \$10,000 paid).

TVP is requesting \$90,000 from the County to pay the dispatch fees, or a debt forgiveness of the dispatch fees (\$100,000). TVP is also requesting a moratorium on the payment of future dispatch fees for the next three years. (Baker County gave their ambulance provider a five-year moratorium on dispatch fees.) Additionally, TVP is requesting \$100,000 from the County to invest in hiring, retaining, and training of employees and equipment.

Pat Caldwell with the Malheur Enterprise joined the meeting.

Those present answered questions from the Court members.

Commissioner Jacobs inquired what the County's obligations were in regards to ambulance services. Ms. Williams explained that the County is obligated by statute to adopt an ambulance service area (ASA) plan and contract with ambulance service providers for the ASA's. The ASA plan must be approved by the State. The County contracts with TVP, City of Vale, and Jordan Valley Ambulance.

Mr. Patterson discussed dual dispatch (the automatic dual dispatch procedure is no longer in effect); and the need for TVP to provide transfer services as much as possible.

The 911 Users Board made changes to the dispatch fees formula and those changes are included in the new contracts, which have been signed by all entities.

TVP's Accountant Mr. Fenton joined the session and discussed the dispatch fee formula. Mr. Fenton explained that the basic formula methodology that was used was taking the total dispatch costs and breaking it out on a per person, per capita number across the county and allocating the cities and TVP their portion based on population and number of calls. There are also 911 funds that are received and those funds were allocated to the cities (reducing their dispatch fees), but TVP did not receive the 911 funds. Beginning this year, the 911 funds are now pooled and used to reduce the dispatch fees for all entities, including TVP. (The 911 tax funds began in 2018.) It is estimated that TVP paid approximately \$40,000 to \$50,000 more a year for dispatch services, based on the call volume.

Ms. Williams noted that TVP has contracted with Malheur County since 1999 (before that ambulance services came from Idaho). The TVP Foundation gives back to Malheur County ambulance providers as well as Idaho providers - which is important as Idaho provides mutual aid. TVP took over the Nyssa ASA when the City of Nyssa no longer could provide the service.

After further discussion, the Court thanked TVP for their service and took the matter under advisement.

COURT MINUTES

Commissioner Jacobs moved to approve Court Minutes of August 21, 2024 as written. Commissioner Mendiola seconded and the motion passed unanimously.

EXECUTIVE SESSION

Executive Session was called in accordance with ORS (Oregon Revised Statutes) 192.660(2)(h) - Legal Counsel with Judge Joyce presiding and Commissioner Jacobs and Commissioner Mendiola present. Also present were County Counsel Stephanie Williams, Administrative Officer Lorinda DuBois, IS (Information Services) Director Joshua Kreger, IS Coordinator Ty Hemeon, Pat Caldwell with the Malheur Enterprise, and Antonio Sunseri with the Argus Observer was present electronically. No decisions were made during or following the session.

CROSSING PERMITS

Commissioner Jacobs moved to approve Crossing Permit #68-24 to Eddie Heid for work under Hill Road #681. Commissioner Mendiola seconded and the motion passed unanimously. Commissioner Jacobs noted that he wants to ensure that Road Supervisor Dave Tiffany is reviewing the permit requirements with the Permittees. The original permit will be kept on file at the Road Department.

FUNDING AGREEMENT - MCDC

Commissioner Jacobs moved to approve Agreement for Funding with Malheur County Development Corporation (MCDC). Commissioner Mendiola seconded and the motion passed unanimously. The agreement provides funding for an executive director and professional services for the Treasure Valley Reload Center project. The agreement expires June 30, 2025. See instrument # 2024-2479

VACATION ORDER

Commissioner Jacobs moved to approve Vacation Order No. GO-07-24: In the Matter of the Vacation of an Undeveloped Portion of "B" Street in Harper. Commissioner Mendiola seconded and the motion passed unanimously. The Court discussed the petition for vacation at their meeting on August 21, 2024. Harper School District #66 is the petitioner and owns 100% of the abutting land. See instrument # 2024-2480

IGA - RESIDENTIAL HOUSING REHABILITATION PROGRAM

Commissioner Mendiola moved to approve Intergovernmental Agreement (IGA) in Support of a Community Development Block Grant from the 2024 Community Development Block Grant Program Administered by the Oregon Business Development Department, Infrastructure Finance Authority. Commissioner Jacobs seconded and the motion passed unanimously. The City of Ontario will be the lead agency; Community in Action will manage the program. See instrument # 2024-2482

IGA #26018 AMENDMENT

Commissioner Jacobs moved to approve Fifth Amendment to Oregon Health Authority 2024-2025 Intergovernmental Agreement for the Financing of Community Mental Health, Addiction Treatment, Recovery, & Prevention, and Problem Gambling Services, Agreement # PO-44300-00026018. Commissioner Mendiola seconded and the motion passed unanimously. Funding is for Aid and Assist Client Services. See instrument # 2024-2486

VETERANS TRANSPORTATION GRANT

Commissioner Jacobs moved to approve State of Oregon, Oregon Department of Veterans' Affairs 2024-2025 Transportation of Veterans in Highly Rural Areas Grant Agreement - Malheur County, Grant No. VS_0257. Commissioner Mendiola seconded and the motion passed unanimously. Grant funding is not to exceed \$45,000 for the period of September 15, 2024 through September 14, 2025. Malheur Council on Aging and Community Services (MCOA&CS) will provide the transportation services. A copy will be returned for recording.

SUPPLEMENTAL BUDGET RESOLUTION

Commissioner Jacobs moved to approve Supplemental Budget Resolution R24-22: In the Matter of Fiscal Year 2024/2025 Supplemental Budget by Resolution Under Local Budget Law ORS 294.471. Commissioner Mendiola seconded and the motion passed unanimously. The purpose of the supplemental budget is to allocate Election Infrastructure Grant funds that were not anticipated when the budget was adopted - these funds will be used to cover security personnel during the election and to pay for new door access controls for the Clerk's Office; and to allocate funds from the Oregon Criminal Justice Commission that were not anticipated when the budget was adopted - these funds are to be used as outlined in the grant agreement. See instrument # 2024-2481

LUBA FINAL OPINION AND ORDER

The Land Use Board of Appeals (LUBA) issued its Final Opinion and Order in the Hastings et al vs Malheur County and Darren Lee, Intervenor-Respondent case. The LUBA decision upheld the County Court's decision for quality, quantity and location. LUBA remanded the matter back to the County for an ESEE (Economic, Social, Environmental and Energy) analysis. The Planning Commission did an ESEE analysis. The applicant can now request a hearing on the remand; the Court can hold the hearing based on the record without argument.

COURT ADJOURNMENT

The meeting was adjourned.